IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

WEDNESDAY, THE 19TH SEPTEMBER 2007 / 28TH BHADRA 1929

RP.No. 744 of 2007(N)

AGAINST THE JUDGEMENT IN O.P.NO.28905/2002 DATED 29/06/2007
.....

REVIEW PETITIONER/2ND RESPONDENT:

THE MANAGER,
V.V.S. HIGH SCHOOL, MANNUTHY,
THRISSUR DISTRICT.

BY ADV. SRI.B.GOPAKUMAR,
SMT.CHINCY GOPAKUMAR.

RESPONDENTS/PETITIONER & OTHER RESPONDENTS:
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1. **SUBHADRA (STATED AS EX-TEACHER,**
   V.V.S.H.S., MANNUTHY), W/O.T.R.MOHANAN,INATH HOUSE
   MUKKATTUKARA DESOM,NETTISSERY VILLAGE,THRISSUR DT.

2. **THE DISTRICT EDUCATIONAL OFFICER,**
   THRISSUR.

3. **STATE OF KERALA,**
   REPRESENTED BY SECRETARY TO GOVT.,
   GENERAL EDUCATION DEPARTMENT, SECRETARIAT,
   THIRUVANANTHAPURAM.

BY ADV. SRI.N.P.SAMUEL FOR R1,
GOVT. PLEADER SMT. T.B. RAMANI FOR R2 & R3.

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON 19/09/2007,THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

prv.

THOTTATHIL B.RADHAKRISHNAN, J.

R.P.No.744 OF 2007 IN
W.P(C).28905 OF 2002

Dated this the 19th day of September, 2007

O R D E R

Heard.

2. The judgment sought to be reviewed was issued on 29.6.2007 on the premise that there is no dispute between the parties as to the availability of an order by Manager of the school appointing the petitioner, allegedly forwarded to the District Educational officer along with letter dated 12.6.2003. As is apparent from Annexure A3, the DEO had intimated the Advocate General as early as on 4.2.2006 regarding the non availability of such a document. Such fact had escaped notice of this Court while rendering the judgment sought to be reviewed. I am satisfied that the impugned judgment is vitiated by errors on fact and law apparent on the face of the record of the judgment.

The Review Petition is allowed. Judgment recalled. List the writ petition for hearing.

Sd/-

THOTTATHIL B.RADHAKRISHNAN,
Judge

kkb.